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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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David R. Yee

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EXAMINER

LEWIS, ALICIA M

ART UNIT

PAPER NUMBER

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/808,885	Applicant(s) YEE ET AL.	
	Examiner Alicia M. Lewis	Art Unit 2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is responsive to communication filed February 13, 2008. There are no current amendments to the claims. Claims 1-24 remain pending in this application.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 7, 9-14, 16-22 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Dutta et al. (US Patent Application Publication 2002/0103914 A1) ('Dutta').

With respect to claims 1, 9 and 17, Dutta teaches:

accessing said web page comprising content (paragraphs 33, 35 and 134; step 610 in Fig. 6);

processing the web page through a filter wherein the filter transfers the content of the web page to an analyzer (paragraphs 133 -135);

analyzing the content of the web page at said analyzer, wherein said analyzing is distinct from said processing (paragraphs 126-128 and 135);

returning a result of said analyzing to a server (paragraphs 127 and 135);

appending the result of said analyzing to the content of said web page (paragraph 137); and
displaying said web page and said result (paragraphs 135 and 137).

With respect to claims 2, 10 and 18, Dutta teaches wherein said accessing said web page comprising content is performed by an application server operating on a first computing system (paragraphs 19 and 35-36).

With respect to claim 3, Dutta teaches wherein said filter is a function of the application server (paragraphs 19 and 35), wherein said filter is selectively activated by a webpage development tool accessible to said first computing system (paragraphs 133-135).

With respect to claims 4, 12 and 20, Dutta teaches wherein said server and said filter operate in said first computing system (paragraph 134).

With respect to claims 5, 14 and 22, Dutta teaches wherein said analyzer operates on a second computing system that is communicatively coupled with said first computing system (Figures 1A and 1B, paragraphs 19, 34 and 37).

With respect to claims 7, 16 and 24, Dutta teaches wherein said filter transfers content of the web page to the analyzer in a hypertext mark-up language (HTML) format (paragraph 33).

With respect to claims 11 and 19, Dutta teaches wherein said filter is a function of the application server (paragraphs 19 and 35).

With respect to claims 13 and 21, Dutta teaches wherein said request for said web page is generated by a browser operating on said first computing system (paragraph 35).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6, 8, 15 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta et al. (US Patent Application Publication 2002/0103914 A1) ('Dutta') in view of Markel et al. (US Patent Application Publication 2002/0156799 A1) ('Markel').

With respect to claims 6, 15 and 23, Dutta teaches claims 1, 9 and 17.

Dutta does not teach wherein said analyzer analyzes said content of said web page for compliance with federal law.

Markel teaches a system and method for verifying and correcting websites (see abstract), in which he teaches wherein said analyzer analyzes said content of said web page for compliance with federal law (paragraph 74).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Dutta by the teaching of Markel because wherein said analyzer analyzes said content of said web page for compliance with federal law would enable website providers to diagnose, evaluate, report, and retrofit code violations existing in websites to meet both in-house and industry design standards (Markel, paragraph 52).

With respect to claim 8, Dutta as modified teaches wherein said content of said web page is secure (paragraph 107).

Response to Arguments

5. Applicant's arguments filed February 13, 2008 have been fully considered but they are not persuasive. Applicant argues that Dutta does not teach processing content before analysis, and that the personalized accessibility evaluation provider 530 does not process content. Examiner disagrees. Dutta teaches that a personalized accessibility evaluation provider 530 receives input, forwards it to a search engine 540, receives the web page from the search engine, and then passes the content to an evaluator 550

(paragraph 133-135); these steps represent processing. Applicant argues that these steps do not represent processing. However, the Applicant has not provided a specific definition or description of what is meant by processing. Claim 1 recites, in part, “processing the web page through a filter, wherein the filter transfers the content of the web page to an analyzer”. Therefore, the only explicit processing function that must occur is the transfer of content to an analyzer. It is clear that the personalized accessibility evaluation provider 530 transfers the content to content evaluator 550 (paragraph 135, first sentence). The content is then evaluated (analyzed) by the content evaluator 550, thus the processing occurs before the analyzing.

6. Applicant also argues that Dutta fails to teach “wherein said filter is selectively activated by a webpage development tool accessible to said first computing system” because the filter is not selectively activated. Examiner disagrees. Dutta teaches that filtering is activated by a personalized accessibility evaluation provider (webpage development tool) (paragraphs 19 and 133). The specification defines a webpage development tool as any tool used on a “computing system to construct, modify, evaluate, enhance, reduce, or otherwise manipulate content on a web page.” The personalized accessibility evaluation provider may be used to modify web page content (paragraph 145). Furthermore, the personalized accessibility evaluation provider is activated when a user requests a web page. Therefore, the personalized accessibility evaluation provider is in fact selectively activated, i.e., when it receives input. The limitations of “filtering in some cases and not filtering in others” is not stated the claims.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Lewis whose telephone number is 571-272-5599. The examiner can normally be reached on Monday - Friday, 9 - 6:30, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2164

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alicia M Lewis/
Examiner, Art Unit 2164
May 14, 2008

/Charles Rones/

Supervisory Patent Examiner, Art Unit 2164